

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND ZONING VARIANCE		
E/S Edmondson Ave., 175 ft. S of	*	ZONING COMMISSIONER
Overbrook Rd., 5743 Edmondson Ave.		
(Ridgeway Manor Nursing Home)	*	OF BALTIMORE COUNTY
Election District		
1st Councilmanic District	*	Case No. 96-398-SPHA
Burleigh Enterprise Ltd. Partner-		
ship, Petitioner	*	
* * * * *		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on both Petitions for Special Hearing and Zoning Variance for the property located at 5743 Edmondson Avenue in Catonsville. The Petitions are filed by Burleigh Enterprise Ltd., Partnership, property owner, through John Burleigh, Partner. Special hearing relief is requested to modify the existing special exception granted in case No. 88-205-SPH. The nature of the amendments to that prior Order are as follows:

(a) To subdivide the present 10.47 acres parcel into three lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility and lot 3 containing existing residence; and,

(b) To modify the special exception applicable to the existing nursing home on lot 1 by adding a 10 bed addition, sun room and meeting room; and

(c) To show an enclosed breezeway correcting the existing nursing home and existing living facility; and

(d) To remove the special exception from lot 3 (6.5 acres); and,

(e) Pursuant to Section 432.4 of the BCZR, waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 ft. in lieu of 300 ft. or, in the alternative, apply the RTA requirements of Bill 2-92 to the special exception; and,

(f) Pursuant to Section 432.4 of the BCZR, waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to

ORDER RECEIVED FOR FILING

Date

By

6/3/96
M. Murch

MICROFILMED

the existing nursing home on lot 1 to allow an RTA of 260 ft. in lieu of 300 ft., or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

As to the Petition for Variance, relief is requested from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (BCZR) to allow a 0 ft. side yard setback for the breezeway connecting the existing nursing home to the assisted living facility for the lot line between lot 1 and lot 2 in lieu of the required 25 ft. setback. The subject property and requested relief are more particularly shown on the amended site plan, received into evidence as Petitioner's Exhibit No. 2.

Appearing at the requisite public hearing held for this case was John Burleigh, III, partner for Burleigh Enterprises Limited Partnership, property owner. Also appearing in support of the Petitions were Theodore A. Shields and Brian C. Burleigh. Also appearing and testifying in support of the Petitions was John G. Trueschler, the licensed landscape architect who prepared the site plan. The Petitioner was represented by John V. Murphy, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the site has been in the ownership of the Burleigh family for many years. In 1952, the building known as the Manor House was converted to house elderly citizens. The house continues in that use today as an assisted living facility. In 1988, the Petitioners came before the Zoning Commissioner for the purpose of presenting plans to enlarge the use on the subject property. Proposed, at that time, was a one story building which was to contain a nursing home. The zoning relief requested was granted and the nursing home facility constructed shortly thereafter. At the present time, the site contains these two buildings; namely, the Manor House converted to an

assisted living facility housing up to 26 residents and a nursing home building with facilities to house 51 residents.

The Petitioner returns to the Zoning Commissioner at this time seeking a modification of the original Order pursuant to the Petitions for Special Hearing and Variance. Apparently, the Petitioner has made application for financing of the project through the Department of Housing and Urban Development. In attempting to qualify for this financing, the Petitioner has found it necessary to apply for the above referenced zoning relief. Particularly, the Department of Housing and Urban Development requires that the Petitioner bifurcate their operation to separate the assisted living facility and the existing nursing home. In order to comply with this requirement, the Petitioner proposes subdividing the subject property. As shown on the site plan, the property has been subdivided so as to create three lots. Proposed lot No. 1 is that portion of the tract which will contain the existing nursing home and proposed improvements to same. That property is approximately 1.783 acres net acres in area and is zoned D.R.16. Lot No. 2 will contain the original Manor House which has been converted to the assisted living facility. That lot is approximately 2.493 acres in area and is split zoned D.R.5.5 and D.R.16.

The balance of the property, shown as proposed lot No. 3, is 6.42 acres in area. That parcel is also zoned D.R.16 and contains two dwelling units. Testimony offered was that these dwellings have been used by the Petitioner and members of his family for housing.

The proposed subdivision as described above, necessitates an amendment to the prior site plan and more particularly requested approval contained in paragraph (a) of the Petition for Special Hearing as set forth above. Paragraph (b) of the special hearing relief requests approval to slightly amend the building envelope of the nursing home. Specifically, a

small addition is being proposed which will add 5 rooms (10 beds). The addition is more particularly shown on the site plan to the north side of the existing nursing home facility, immediately adjacent to Edmondson Avenue.

Paragraph (c) of the requested special hearing relief depicts the breezeway. Apparently, this breezeway was approved as part of the earlier case (case No. 88-205-SPH). Although never constructed, the Petitioner now requests approval of the breezeway so as to connect the existing assisted living facility and the nursing home. Apparently, many of the staff and residents use facilities located in one or the other buildings and the covered breezeway is appropriate to facilitate utilization of the site in this manner.

Paragraph (d) of the requested special hearing requests approval to remove the special exception from lot No. 3; that is, that portion of the property which contains the two residential dwellings.

It is clear that a grant of the special hearing for this relief is appropriate. The long history of the utilization of this site supports a finding that the proposed amendments can be granted without detriment to the health, safety and general welfare of the locale. It is to be particularly noted that each lot will have its own parking area, its own public utilities and that there are no variances for setbacks or other relief requested. That is, each lot independently complies with the zoning regulations, but for the breezeway variance as discussed hereinafter.

Paragraph (e) and (f) of the special hearing petition requests relief to waive or modify the RTA requirements of Bill 124-81 relating to the proposed breezeway and proposed addition, respectively. As stated in the hearing, it is my judgment that this relief is not needed. As Mr. Trueschler explained, the RTA requirements in effect, at present, do not

RECEIVED MAY 11 1996

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Date 6/3/96
By M. Dorah

require a waiver or modification, in that the subject use including the proposed improvements to same, do not infringe into the RTA buffer. In my judgment, due to the affirmation of the special exception relief by the grant of the special hearing and particularly in view of the proposed construction, the current RTA regulations are controlling. Thus, variance relief from the RTA requirements in effect in 1988 is not necessary. Finally, it is to be noted that, in addition to the building addition, housing additional bedrooms, a proposed addition of a one story sun room and meeting room are also shown for the nursing home facility. These cosmetic improvements to the building are appropriate and will provide additional living space and other amenities.

As to the zoning variance, as noted above, a breezeway will be constructed so as to attach the two buildings. Obviously, with the creation of the lot lines and subdivision, variance relief is necessary from the setback requirements applicable to the newly created lot line. In my judgment, the Petition for Zoning Variance is appropriate and should be granted. I find, as fact, that the Petitioner has met the burden set forth in Section 307 of the BCZR, as construed by the case law.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of June, 1996 that, pursuant to the Petition for Special Hearing, approval to modify the existing special exception granted in case No. 88-205-SPH, to amend (a), (b), (c), and (d), be and is hereby GRANTED; and,

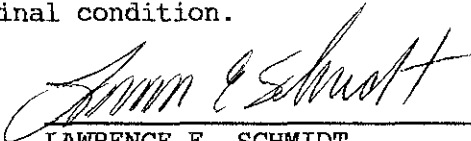
IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to modify the existing special exception granted in case

Date 6/3/96
By M. Novak

No. 88-205-SPH to amend (e) and (f) are hereby dismissed as unnecessary;
and,

IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (BCZR) to allow a 0 ft. side yard setback, for the breezeway connecting the existing nursing home to the assisted living facility, for the lot line between lot 1 and lot 2, in lieu of the required 25 ft. setback, be and is hereby GRANTED; subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 6/3/96
BY M. H. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 30, 1996

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, Maryland 21228

RE: Petitions for Special Hearing and Variance
Property: 5743 Edmondson Avenue
Case No. 96-398-SPHA
Burleigh Enterprise Ltd. Partnership, Petitioner

Dear Mr. Murphy:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

c: Mr. John Burleigh, 5742 Edmondson Avenue, Catonsville, Md. 21228

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

5743 Edmondson Ave., Catonsville, MD

which is presently zoned DR16/DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County; to determine whether or not the Zoning Commissioner should approve modifying the existing special granted in case number 88-205 SPH to

- Subdivide the present 10.47 acres parcel into three lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility and lot 3 containing existing residence and
- modify the special exception applicable to the existing nursing home on lot 1 by adding a 10 bed addition, sun room and meeting room and
- Show an enclosed breezeway correcting the existing nursing home and existing living facility.

(See attached sheet)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

John V. Murphy, Esquire

(Type or Print Name)

Signature

14 N. Rolling Road 744-4967

Address

Phone No.

Catonsville, Maryland 21228

City

State

Zipcode

Legal Owner(s):

For Burleigh Enterprise Limited Partnership

John Burleigh (authorized Partner)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

396

d) remove the special exception from lot 3 (6.5 acres). 96-398-S PHA

e) Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Pursuant to Section 432.4 waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on Lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-398-SRHA

5743 Edmonson Ave., Catonsville, MD

which is presently zoned DR16/DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1E01.2 C 1 a of the Baltimore County Zoning Regulations to allow a zero (0) ft. side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot and lot 2 in lieu of the required 25 foot setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1) HUD finance requirements demand subdivision of property into lots
- 2) Lot line then split breezeway connecting buildings
- 3) No reasonable alternative

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

John V. Murphy, Esquire

(Type or Print Name)

Signature

14 N. Rolling Road

744-4967

Address

Phone No.

Catonsville, Maryland

21228

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

For Burleigh Enterprise Limited Partnership

John Burleigh (authorized Partner)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



Printed with Soybean Ink
on Recycled Paper

Zoning Administration

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LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
410-744-4967
410-744-5025
FAX: 410-744-8936

- d) remove the special exception from lot 3 (6.5 acres).
- e) waive or modify RTA requirements per section 432.4 of BCZR pursuant to requirements of Bill 124-81 or in the alternative Bill 2.92.

FOR SIGN
Pg 2 of
SPH

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396

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

96-398-SPHA

March 21, 1996

Zoning Description Proposed Lot 1 Ridgeway Manor Nursing Home

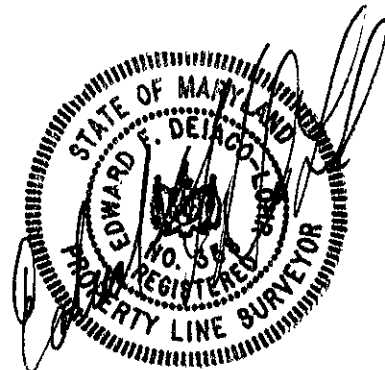
Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline, of Academy Road, thence leaving Edmondson Avenue and running South 66 degrees 57 minutes 23 seconds East 84.98 feet, by a line curving to the left having a radius of 45.00 for an arc distance of 63.30 feet (the chord of said arc bearing South 41 degrees 14 minutes 12 seconds East 58.21 feet), South 08 degrees 28 minutes 00 seconds West 91.40 feet, South 64 degrees 00 minutes 00 seconds East 18.30 feet, South 19 degrees 00 minutes 00 seconds East 130.00 feet, North 71 degrees 00 minutes 00 seconds East 63.00 feet, South 24 degrees 45 minutes 00 seconds East 56.52 feet, South 63 degrees 07 minutes 30 seconds West 135.00 feet, South 89 degrees 31 minutes 22 seconds West 97.00 feet, North 00 degrees 28 minutes 38 seconds West 20.00 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, and South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.37 feet), and North 23 degrees 02 minutes 37 seconds East 314.72 feet to the place of beginning.

Containing 1.783 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

Ridgelt1.zde

ENCLOSURE



396

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

96-398-SPHA

March 21, 1996

Zoning Description Proposed Lot 2 Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence running along the east side of Edmondson Avenue, North 23 degrees 02 minutes 37 seconds East 209.72 feet, thence leaving Edmondson Avenue and running South 55 degrees 55 minutes 28 seconds East 134.08 feet, South 37 degrees 26 minutes 43 seconds East 429.56 feet, South 63 degrees 07 minutes 30 seconds West 234.54 feet, North 24 degrees 45 minutes 00 seconds West 56.52 feet, South 71 degrees 00 minutes 00 seconds West 63.00 feet, North 19 degrees 00 minutes 00 seconds West 130.00 feet, North 64 degrees 00 minutes 00 seconds West 18.30 feet, North 08 degrees 28 minutes 00 seconds East 91.40 feet, by a line curving to the right having a radius of 45.00 feet for an arc distance of 63.30 feet, the chord of said arc bearing North 41 degrees 14 minutes 12 seconds West 58.21 feet), and North 66 degrees 57 minutes 23 seconds West 84.98 feet to the place of beginning.

Containing 2.493 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



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GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
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EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

96-398-5 PHA

April 8, 1996

Zoning Description Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue 175 feet, more or less, southerly from the centerline of Overbrook Road, running thence South 55 degrees 55 minutes 28 seconds East 132.00 feet, South 37 degrees 26 minutes 43 seconds East 470.84 feet, South 17 degrees 38 minutes West 287.20 feet, South 27 degrees 28 minutes West 162.90 feet, South 32 degrees 50 minutes East 344.90 feet, South 50 degrees 40 minutes west 311.76 feet, North 45 degrees 25 minutes West 302.00 feet, North 00 degrees 28 minutes 38 seconds West 485.00 feet, South 89 degrees 06 minutes West 6.00 feet, North 00 degrees 28 minutes 38 seconds West 110.55 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, running thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet, (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.36 feet) and North 23 degrees 02 minutes 37 seconds east 434.96 feet to the place of beginning.

Containing 10.85 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

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4-8-96

396

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-398-SP4A

District: _____

Date of Posting: 5/11/96

Posted for: Special Hoofing

Petitioner: R1 do way Manor

Location of property: Overbrook Rd & Edmondson Ave

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Posted by: M. Kelly

Signature

Date of return: 5/24/96

Number of Signs: 1

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County is hereby giving notice that he will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on:

Case #98-388-SHA

Item 388-SHA

Special hearing to modify the existing rules granted in case #98-205-SHA to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residence; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bd 124-91 affecting the proposed breezeway to allow an RTA of

Butleigh Enterprise, Limited Partnership

Special hearing to modify the existing rules granted in case #98-205-SHA to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residence; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bd 124-91 affecting the proposed breezeway to allow an RTA of

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are held on Wednesdays, for special accommodations, please call 307-3331.

(2) For information concerning the RTA and/or hearing, please call 307-3331.

4/25/96

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/25, 1996.

THE JEFFERSONIAN,

A. H. Miller
LEGAL AD. - TOWSON

UNRECORDED

**BALTIMORE COUNTY, MARYLAND
OFFICE OF INCOME - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT**

No

000000

DATE 11 Apr 196 ACCOUNT R-001-6150

96-398-SPHA 396

AMOUNT \$ 570.00

RECEIVED FROM: Burling, Eugene A., Sr. (TID)

FOR: VARADAN & SPT MICROFILMED

5743 *Salmonella* A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-398-SRHA1

District 1st

Date of Posting 4/19/96

Posted for May 21, 1996 Hearings

Petitioner: Burlough Enterprises Ltd. Part

Location of property: 5743 Embury Lane

Location of Sign: Facing Road on property being zoned

Remarks: _____

Posted by _____

Signature

Date of return: 4/26/96

Number of Signs: 1



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TO: PUTUXENT PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

John V. Murphy, Esq.
14 N. Rolling Road
Catonsville, MD 21228
744-4967

DEMO
Kodak *digital science*

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-398-SPHA (Item 396)
5743 Edmondson Avenue -- Ridgeway Manor Nursing Home
E/S Edmondson Avenue, 175' S of Overbrook
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprise Limited Partnership

Special Hearing to modify the existing relief granted in case #88-205-SPH to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residence; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception; and waiver to modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Variance to allow a zero foot side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot 1 and 2 in lieu of the required 25 foot setback.

HEARING: TUESDAY, MAY 21, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

MICROFILMED

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-398-SPHA (Item 396)
5743 Edmondson Avenue -- Ridgeway Manor Nursing Home
E/S Edmondson Avenue, 175' S of Overbrook
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprise Limited Partnership

Special Hearing to modify the existing relief granted in case #88-205-SPH to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residence; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception; and waiver to modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Variance to allow a zero foot side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot 1 and 2 in lieu of the required 25 foot setback.

HEARING: TUESDAY, MAY 21, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: John V. Murphy, Esq.

MICROFILMED

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 1996

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, MD 21228

RE: Item No.: 396
Case No.: 96-398-SPHA
Petitioner: John Burleigh

Dear Mr. Murphy:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 26, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for April 29, 1996
 Item No. 396

 The Development Plans Review Division has reviewed the subject zoning item. The proposed additions and RTA Buffer are subject to the Baltimore County Landscape Manual. A Schematic Landscape Plan must be submitted and approved as a condition of Development Plan approval.

RWB:HJO:jrb

cc: File

ZONE8D

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 396 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-⁵⁴⁵⁻⁵⁵⁸¹~~333-1350~~ if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-22-96

DATE: 4-23-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

389

390

392

394

395

396

397

398

LS:sp

LETTY2/DEPRM/TXTS8P

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 22, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 383, 396 and 397

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

1000

PETITION PROBLEMS

#389 --- RT

1. Only 1 signature was notarized.

#394 --- MJK

1. No telephone number for legal owner.

#395 --- CAM

1. No review information on bottom of petition form.

#396 --- CAM

1. Plat says legal owner/applicant is "Ridgeway Manor Nursing Home". Petition says legal owner is "Burleigh Enterprise Limited Partnership". Which is correct???
2. Need title of person signing for legal owner.
3. Need address of legal owner (including zip code).
4. Need telephone number for legal owner.

April 15, 1996

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
5743 Edmondson Avenue (Ridgeway Manor	*	ZONING COMMISSIONER
Nursing Home), E/S Edmondson Avenue, 175'		
S of Overbrook, 1st Election District,	*	OF BALTIMORE COUNTY
1st Councilmanic		
	*	CASE NO. 96-398-SPHA
Burleigh Enterprise Limited Partnership		
Petitioner	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to John V. Murphy, Esquire, 14 N. Rolling Road, Baltimore, MD 21228, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BURLEIGH ENTERPRISE LIMITED PARTNERSHIP

Location: E/S EDMONDSON AVE. 175' S OF OVERBROOK (5743 EDMONDSON AVE.-
RIDGEWAY MANOR)

Item No.: 396

Zoning Agenda: SPECIAL HEARING / VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

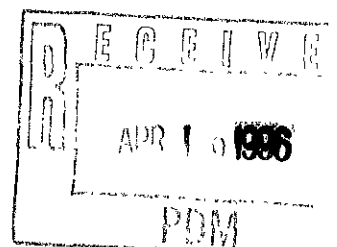
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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on Recycled Paper



**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

May 26, 2004

Michael Fisher
Site Resources
14307 Jarrettsville Pike
Phoenix, Maryland 21131

RE: Glynn Taff Independent Living
1st Election District

Dear Mr. Fisher,

This letter is in reference to your request for a zoning confirmation involving the possibility of accrual of density within the tract boundary of the "Ridgeway Manor" subdivision. Subsequent to your letter I also met with Mr. John Trueschler of your office to discuss the submitted plat and development plan in light of the approved hearing plan in case # 96-398-SPHA.

You propose to accrue a total of 13 density units from lot # 2 to lot #3 for proposed future development. You will also have a zoning special hearing to amend the last order and plan from the previous zoning case. You appear to have sufficient density for your proposal. Staff has no objection to you proceeding through the special hearing for amendment and final resolution of this issue. We do suggest that you state clearly on all plans that: "This site was approved for special exception prior to March 30, 1992, and due to this fact, density accrual is permitted without regard to zone lines within the tract."

Please be advised that this response is for zoning only and is not intended to address the issues of any other agency.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis", is written over a horizontal line.

John L. Lewis
Planner II
Zoning Review

Visit the County's Website at www.baltimorecountyonline.info



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 13, 1997

The Patrician Financial Company
4550 Montgomery Avenue, Suite 1150
Bethesda, Maryland 20814-3344

U.S. Department of Housing and Urban Development
Baltimore Field Office
5th Floor, City Crescent Building
10 South Howard Street
Baltimore, Maryland 21201-2528

Attention: Ms. Ina B. Singer, Director
Multi-Family Housing Branch

RE: Zoning Verification
5743 Edmondson Avenue
Ridgeway Manor Nursing Home
Catonsville, Maryland 21228
(HUD Project No.: 052-22007)
1st Election District

Dear Ms. Singer:

This letter confirms that we have conducted an examination of the records of this Department in regard to the Ridgeway Manor Nursing Home located at the above referenced address. Our records indicate in case no. 4947, (1960) a special exception was granted permitting operation of a nursing home in a three story manor house on the property. In 1988 a modification to that special exception was granted in case no. 88-205-SPH to allow the construction of a new one-story nursing home building and additional parking. This review was based in part on the provided site plan titled: Ridgeway Manor Plan to Accompany Special Hearing to Amend Special Exception and Variance Hearing, Dated April 8, 1996.

In 1996 zoning case 96-398-SPHA granted the following: A further modification of the special exception allowing construction of additional support facilities and 10 additional beds, bringing the allowed number of beds to 61.

In addition, this 1996 modification recognized the amendment to permit the subdivision of the property into three lots. The nursing home is located on Lot 1. Please be aware that any subdivision approvals must be through the Development Process. You may contact the Development Management section of Permits and Development Management at 410-887-3335 concerning any subdivision recordation or approvals.



The Patrician Financial Company
U.S Department of Housing and Urban Development
August 13, 1997
Page 2

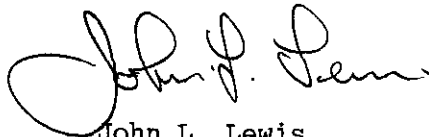
The 1996 order also allowed a variance from the side yard setback requirements of the Baltimore County Zoning Regulations, BCZR, which connects the nursing home on Lot 1 to an Assisted Living Facility on Lot 2. To this Department's best information, other than this permitted variance, the nursing home as it is located on Lot 1 complies with the BCZR.

Finally, we have also examined the records of the Department in regard to Zoning Enforcement and find that there are no outstanding complaints or violations of the BCZR on record. As such, there are no pending zoning proceedings with administrative, legislative or judicial bodies or agencies which would in any manner adversely affect the status of the zoning for the nursing home on Lot 1.

Enclosed, find a copy of the order in zoning case 96-398-SPHA.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,



John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning cases 96-398-SPHA, 88-205-SPH & 4947

Enclosure

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
John Truesdler
JOHN BURLEIGH JR
John Murphy Esq
Theodore A. Shields
BRIAN C. BURLEIGH

ADDRESS
1738 BOGGS RD Forest Hill
5743 EDMONDSON AVE 21050
14 N. Rolling Rd BM 21228
9304 Flagstone Dr. BAY 6 Md 21234
296 SUNSHINE WAY. WESTMINSTER Md. 21157



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on Recycled Paper

MICROFILMED

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

April 23, 1996

Put 4A

Zoning Description Proposed Lot 1 Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline, of Academy Road, thence leaving Edmondson Avenue and running South 66 degrees 57 minutes 23 seconds East 84.98 feet, by a line curving to the left having a radius of 45.00 for an arc distance of 63.30 feet (the chord of said arc bearing South 41 degrees 14 minutes 12 seconds East 58.21 feet), South 08 degrees 28 minutes 00 seconds West 87.27 feet, South 19 degrees 00 minutes 00 seconds East 5.57 feet, South 64 degrees 00 minutes 00 seconds East 15.61 feet, South 19 degrees 00 minutes 00 seconds East 130.00 feet, North 71 degrees 00 minutes 00 seconds East 63.00 feet, South 24 degrees 45 minutes 00 seconds East 56.52 feet, South 63 degrees 07 minutes 30 seconds West 135.00 feet, South 89 degrees 31 minutes 22 seconds West 97.00 feet, North 00 degrees 28 minutes 38 seconds West 20.00 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, and South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.37 feet), and North 23 degrees 02 minutes 37 seconds East 314.72 feet to the place of beginning.

Containing 1.783 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

Ridgelt1.zdc

MICROFILMED



GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

Ref 413

April 23, 1996

**Zoning Description
Proposed Lot 2
Ridgeway Manor Nursing Home**

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence running along the east side of Edmondson Avenue, North 23 degrees 02 minutes 37 seconds East 209.72 feet, thence leaving Edmondson Avenue and running South 55 degrees 55 minutes 28 seconds East 134.08 feet, South 37 degrees 26 minutes 43 seconds East 429.56 feet, South 63 degrees 07 minutes 30 seconds West 234.54 feet, North 24 degrees 45 minutes 00 seconds West 56.52 feet, South 71 degrees 00 minutes 00 seconds West 63.00 feet, North 19 degrees 00 minutes 00 seconds West 130.00 feet, North 64 degrees 00 minutes 00 seconds West 15.61 feet, North 19 degrees 00 minutes 00 seconds West 5.57 feet, North 08 degrees 28 minutes 00 seconds East 91.40 feet, by a line curving to the right having a radius of 45.00 feet for an arc distance of 63.30 feet, the chord of said arc bearing North 41 degrees 14 minutes 12 seconds West 58.21 feet), and North 66 degrees 57 minutes 23 seconds West 84.98 feet to the place of beginning.

Containing 2.493 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



Ridgelt2.zde

MICROFILMED

John G. Trueschler

39 Othoridge Road
Lutherville, Maryland 21093
(410) 821-6916

EDUCATION

Juris Doctor, May 1991

University of Maryland School of Law
Baltimore, Maryland

Academic Standing: Top 6%

Honors: Order of the Coif; American Jurisprudence Awards for: Torts; Contracts; Legal Profession (Ethics); and Real Estate Negotiating and Drafting.

Bachelor of Science in Landscape Architecture, May 1979

West Virginia University
Morgantown, West Virginia

Academic Standing: 3.7 GPA; Magna Cum Laude.

Honors: Awarded the "Certificate of Honor" by the American Society of Landscape Architects as the most promising professional in the class; selected as "The Outstanding Senior" by the Division of Resource Management; elected to the following honorary fraternities: Sphinx, Phi Kappa Phi, Alpha Zeta, and Gamma Sigma Delta.

Activities: Board member of the Curriculum and Courses Committee (1 year) and the Academic Standards Committee (2 years) of the College of Agriculture and Forestry; student instructor.

LICENSES

Member of the Maryland and Federal Bar
Licensed Real Estate Broker (inactive status)-
Licensed Landscape Architect

Red No 5

EXPERIENCE

Project Manager/Land Planner

Site Resources, Inc.
November 1995 to present

See description under headings "Project Manager" and "Landscape Architect/Planner"

Attorney and Land Planner

John G. Trueschler, P.A. and John G. Trueschler Land Planning & Design Services
October 1993 to November 1995

Solo practice of law (80%) and land planning/zoning (20%). Practice of law includes: domestic cases; bankruptcy; real estate documents; construction law; contract law; employment law; zoning hearings and contested developments. (For scope of land planning and development services, see description under heading "Project Manager")

MICROFILMED

Development Consultant & Broker

Nehemiah Enterprises, Inc./Valley Properties, Inc.
October 1991 to December 1993

Co-owner of a real estate consulting/development firm and a brokerage firm. Prepared proposals and invoices; rendered land planning/zoning/construction management services (see description under heading "Project Manager"); and administration.

Project Manager

Poffel & Walker, Inc.
August 1987 to September 1991

Determined site development potential by investigating local zoning and environmental laws and regulations, utilities, and topography; prepared schematic site plans and cost estimates; negotiated and drafted contracts of sale, deeds, easement agreements, restrictive covenants and architectural controls; supervised engineering consultants and managed the processing of plans and permits for residential, commercial and industrial developments in Baltimore County, City of Frederick, Frederick County, and York County; presented plans to community groups and local governing agencies and elected officials; prepared bid packages and negotiated with contractors prior to contract; inspected construction; intervened with government agencies and inspectors during both the planning and construction phases of development.

Administrator

Covenant Hope Church
May 1985 to July 1987

Handled all church interaction with business and government; supervised and taught Sunday School; lead discussion groups; acted as principal counselor to the pastor; and advised other churches on matters of land development and zoning.

Landscape Architect/ Planner

Daft-McCune-Walker, Inc.
May 1979 to May 1985

Prepared plats for rezoning, variances, special exceptions, and subdivision; designed and engineered residential, commercial and industrial sites (work included survey computation, hydrology, grading, layout, roads, utilities, construction details, sediment control, and landscaping); inspected construction and attended progress meetings; represented clients before community groups, government agencies, planning boards, and the Baltimore County Council; testified as an expert witness in Baltimore County zoning hearings on matters of zoning and site development.

PERSONAL

- Lifetime resident of Baltimore County.
- Married to Mary F. Mack since 1981; three daughters and two sons.
- Coach soccer and baseball for Lutherville-Timonium Recreation Council.
- Sunday School Teacher for Grace Fellowship Church.
- Participant in adult soccer league.

MICROFILMED



STANDING AT ENTRANCE TO RIDGEWAY MANOR LOOKING SOUTH.
ASSISTED LIVING FACILITY (LEFT) AND NURSING HOME (RIGHT)

RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 1 OF 5

Ref No 1501



NORTH SIDE OF ASSISTED LIVING FACILITY, AND BEHIND
EXISTING EVERGREENS. EAST SIDE OF NURSING HOME.



WEST SIDE OF EXISTING LIVING FACILITY (LEFT) AND EAST SIDE
OF NURSING HOME (RIGHT)



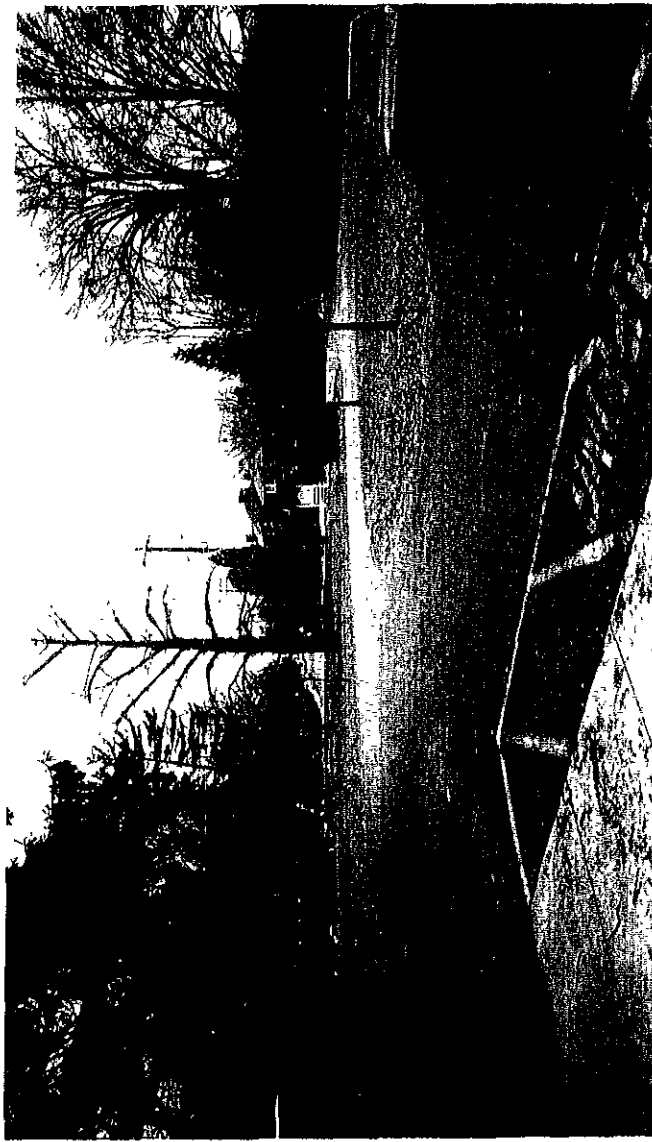
VIEW LOOKING NORTHWEST AT SOUTH AND EAST SIDES OF NURSING HOME (*LEFT*) AND SOUTH SIDE OF ASSISTED LIVING FACILITY (*RIGHT*)

RIDGEWAY MANOR
 PETITIONER'S EXHIBIT 1
 PAGE 2 OF 5



MICROFILMED

VIEW LOOKING NORTHWEST TOWARD SOUTH SIDE OF NURSING HOME (*LEFT*) AND ASSISTED LIVING FACILITY (*RIGHT*)



STANDING IN ASSISTED LIVING PARKING LOT LOOKING NORTH TOWARD
INTERSECTION OF EDMONSON AVE. & ACADEMY RD. DUPLEXES BEYOND

RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 3 OF 5



VIEW OF SINGLE FAMILY DETACHED HOUSES NORTHEAST OF SITE. FOREGROUND SHOWS DRIVEWAY & PARKING LOT.
MICROFILMED

*RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 4 OF 5*



*VIEW LOOKING SOUTHWEST TOWARD APARTMENTS. NOTE PORCH OF ASSISTED LIVING FACILITY (*RIGHT FOREGROUND*) & NURSING HOME (*RIGHT BACKGROUND*).*



*VIEW OF SINGLE FAMILY DETACHED HOUSES EAST OF SITE. SOUTH SIDE OF ASSISTED LIVING FACILITY (*RIGHT FOREGROUND*) AND EXISTING WHITE HOUSE AND GARAGE ON PROPOSED LOT 3 (*MIDGROUND*)*

MICROFILMED



VIEW OF LANDSCAPE BUFFER THAT SCREENS HOMES NORTHEAST OF SITE.
NOTE ASSISTED LIVING FACILITY & PARKING (RIGHT BACKGROUND).

RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 5 OF 5



VIEW OF LANDSCAPE BUFFER THAT SCREENS HOMES FROM
STORM WATER MANAGEMENT POND & ASSISTED LIVING FACILITY

MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING *
AND ZONING VARIANCE *
E/S Edmondson Ave., 175 ft. S of *
Overbrook Rd., 5743 Edmondson Ave., *
(Ridgeway Manor Nursing Home) *
Election District *
1st Councilmanic District *
Burleigh Enterprise Ltd. Partner- *
ship, Petitioner *
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 96-398-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on both Petitions for Special Hearing and Zoning Variance for the property located at 5743 Edmondson Avenue in Catonsville. The Petitions are filed by Burleigh Enterprise Ltd., Partnership, property owner, through John Burleigh, Partner. Special hearing relief is requested to modify the existing special exception granted in case No. 88-205-SPH. The nature of the amendments to that prior Order are as follows:

- To subdivide the present 10.47 acres parcel into three lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility and lot 3 containing existing residence; and,
- To modify the special exception applicable to the existing nursing home on lot 1 by adding a 10 bed addition, sun room and meeting room; and
- To show an enclosed breezeway connecting the existing nursing home and existing living facility; and
- To remove the special exception from lot 3 (6.5 acres); and,
- Pursuant to Section 432.4 of the BCZR, waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 ft. in lieu of 300 ft. or, in the alternative, apply the RTA requirements of Bill 2-92 to the special exception; and,
- Pursuant to Section 432.4 of the BCZR, waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to

the existing nursing home on lot 1 to allow an RTA of 260 ft. in lieu of 300 ft., or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

As to the Petition for Variance, relief is requested from Section 1801.2.C.1.a of the Baltimore County Zoning Regulations (BCZR) to allow a 0 ft. side yard setback for the breezeway connecting the existing nursing home to the assisted living facility for the lot line between lot 1 and lot 2 in lieu of the required 25 ft. setback. The subject property and requested relief are more particularly shown on the amended site plan, received into evidence as Petitioner's Exhibit No. 2.

Appearing at the requisite public hearing held for this case was John Burleigh, III, partner for Burleigh Enterprises Limited Partnership, property owner. Also appearing in support of the Petitions were Theodore A. Shields and Brian C. Burleigh. Also appearing and testifying in support of the Petitions was John G. Trueschler, the licensed landscape architect who prepared the site plan. The Petitioner was represented by John V. Murphy, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the site has been in the ownership of the Burleigh family for many years. In 1952, the building known as the Manor House was converted to house elderly citizens. The house continues in that use today as an assisted living facility. In 1988, the Petitioners came before the Zoning Commissioner for the purpose of presenting plans to enlarge the use on the subject property. Proposed, at that time, was a one story building which was to contain a nursing home. The zoning relief requested was granted and the nursing home facility constructed shortly thereafter. At the present time, the site contains these two buildings; namely, the Manor House converted to an

- 2 -

assisted living facility housing up to 26 residents and a nursing home building with facilities to house 51 residents.

The Petitioner returns to the Zoning Commissioner at this time seeking a modification of the original Order pursuant to the Petitions for Special Hearing and Variance. Apparently, the Petitioner has made application for financing of the project through the Department of Housing and Urban Development. In attempting to qualify for this financing, the Petitioner has found it necessary to apply for the above referenced zoning relief. Particularly, the Department of Housing and Urban Development requires that the Petitioner bifurcate their operation to separate the assisted living facility and the existing nursing home. In order to comply with this requirement, the Petitioner proposes subdividing the subject property. As shown on the site plan, the property has been subdivided so as to create three lots. Proposed lot No. 1 is that portion of the tract which will contain the existing nursing home and proposed improvements to same. That property is approximately 1.783 acres net acres in area and is zoned D.R.16. Lot No. 2 will contain the original Manor House which has been converted to the assisted living facility. That lot is approximately 2.493 acres in area and is split zoned D.R.5.5 and D.R.16. The balance of the property, shown as proposed lot No. 3, is 6.42 acres in area. That parcel is also zoned D.R.16 and contains two dwelling units. Testimony offered was that these dwellings have been used by the Petitioner and members of his family for housing.

The proposed subdivision as described above, necessitates an amendment to the prior site plan and more particularly requested approval contained in paragraph (a) of the Petition for Special Hearing as set forth above. Paragraph (b) of the special hearing relief requests approval to slightly amend the building envelope of the nursing home. Specifically, a

- 3 -

small addition is being proposed which will add 5 rooms (10 beds). The addition is more particularly shown on the site plan to the north side of the existing nursing home facility, immediately adjacent to Edmondson Avenue.

Paragraph (c) of the requested special hearing relief depicts the breezeway. Apparently, this breezeway was approved as part of the earlier case (case No. 88-205-SPH). Although never constructed, the Petitioner now requests approval of the breezeway so as to connect the existing assisted living facility and the nursing home. Apparently, many of the staff and residents use facilities located in one or the other buildings and the covered breezeway is appropriate to facilitate utilization of the site in this manner.

Paragraph (d) of the requested special hearing requests approval to remove the special exception from lot No. 3; that is, that portion of the property which contains the two residential dwellings.

It is clear that a grant of the special hearing for this relief is appropriate. The long history of the utilization of this site supports a finding that the proposed amendments can be granted without detriment to the health, safety and general welfare of the locale. It is to be particularly noted that each lot will have its own parking area, its own public utilities and that there are no variances for setbacks or other relief requested. That is, each lot independently complies with the zoning regulations, but for the breezeway variance as discussed hereinafter.

Paragraph (e) and (f) of the special hearing petition requests relief to waive or modify the RTA requirements of Bill 124-81 relating to the proposed breezeway and proposed addition, respectively. As stated in the hearing, it is my judgment that this relief is not needed. As Mr. Trueschler explained, the RTA requirements in effect, at present, do not

- 4 -

require a waiver or modification, in that the subject use including the proposed improvements to same, do not infringe into the RTA buffer. In my judgment, due to the affirmation of the special exception relief by the grant of the special hearing and particularly in view of the proposed construction, the current RTA regulations are controlling. Thus, variance relief from the RTA requirements in effect in 1988 is not necessary. Finally, it is to be noted that, in addition to the building addition, housing additional bedrooms, a proposed addition of a one story sun room and meeting room are also shown for the nursing home facility. These cosmetic improvements to the building are appropriate and will provide additional living space and other amenities.

As to the zoning variance, as noted above, a breezeway will be constructed so as to attach the two buildings. Obviously, with the creation of the lot lines and subdivision, variance relief is necessary from the setback requirements applicable to the newly created lot line. In my judgment, the Petition for Zoning Variance is appropriate and should be granted. I find, as fact, that the Petitioner has met the burden set forth in Section 307 of the BCZR, as construed by the case law.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of June, 1996 that, pursuant to the Petition for Special Hearing, approval to modify the existing special exception granted in case No. 88-205-SPH, to amend (a), (b), (c), and (d), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to modify the existing special exception granted in case

- 5 -

No. 88-205-SPH to amend (e) and (f) are hereby dismissed as unnecessary; and,

IT IS FURTHER ORDERED that a variance from Section 1801.2.C.1.a of the Baltimore County Zoning Regulations (BCZR) to allow a 0 ft. side yard setback, for the breezeway connecting the existing nursing home to the assisted living facility, for the lot line between lot 1 and lot 2, in lieu of the required 25 ft. setback, be and is hereby GRANTED; subject, however, to the following restriction:

- The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mem

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 30, 1996

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, Maryland 21228

RE: Petitions for Special Hearing and Variance
Property: 5743 Edmondson Avenue
Case No. 96-398-SPHA
Burleigh Enterprise Ltd. Partnership, Petitioner

Dear Mr. Murphy:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3151.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mem

cc: Mr. John Burleigh, 5742 Edmondson Avenue, Catonsville, Md. 21228



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 5743 Edmondson Ave., Catonsville, MD
96-398-SPHA which is presently zoned DR16/DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, hereby certifies that the information contained in the description and map attached to this petition is true and correct. The undersigned hereby certifies that the information contained in the description and map attached to this petition is true and correct. The undersigned hereby certifies that the information contained in the description and map attached to this petition is true and correct.

- Subdivide the present 10.47 acres parcel into three lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility and lot 3 containing existing residence and
- modify the special exception applicable to the existing nursing home on lot 1 by adding a 10 bed addition, sun room and meeting room and
- Show an enclosed breezeway connecting the existing nursing home and existing living facility.

(See attached site plan and advertisement as prescribed by Zoning Regulations.)

I, or we, agree to pay expenses of above Special Hearing advertising, printing, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

With an attorney's advice and upon the advice of counsel, I/we and the legal owner(s) of the property hereby certify that the information contained in the description and map attached to this petition is true and correct.

Legal Owner(s)
For Burleigh Enterprise Limited Partnership
John Burleigh (authorized Partner)

Signature: _____
Type of Petition: _____

Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Type of Petition: _____

Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Type of Petition: _____

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City: _____ State: _____ Zip: _____

Signature: _____
Type of Petition: _____

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Signature: _____
Type of Petition: _____

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City: _____ State: _____ Zip: _____

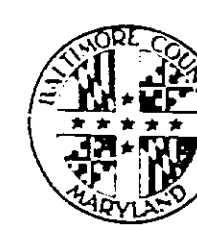
Signature: _____
Type of Petition: _____

- d) remove the special exception from lot 3 (6.5 acres). 96-398-SPHA
- e) Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Pursuant to Section 432.4 waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on Lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

c:\www\documents\vacate.doc

396



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5743 Edmondson Ave., Catonsville, MD
which is presently zoned RM6/RS 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, submit(s) this Petition for a Variance from the Baltimore County Zoning Regulations to allow a zero (0) ft. side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot and lot 2 in lieu of the required 25 foot setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

- 1) HD finance requirements demand subdivision of property into lots

- 2) Lot line then split breezeway connecting buildings

- 3) No reasonable alternative

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner

Type of Petitioner

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Type of Petitioner

Signature

Address

City

State

Zip Code

City

State

Zip Code

City

State

Zip Code

City

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We do solemnly swear and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

For Barleigh Enterprises Limited Partnership

John Barleigh (Authorized Partner)

Type of Petitioner

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Type of Petitioner

Signature

Address

City

State

Zip Code

City

State

Zip Code

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JOHN V. MURPHY

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

14 N. ROLLING ROAD
CATONSVILLE, MD 21228
410-744-4967
410-744-5025
FAX: 410-744-8936

- d) remove the special exception from lot 3 (6.5 acres).
- e) waive or modify RTA requirements per section 432.4 of BCZR pursuant to requirements of Bill 124-81 or in the alternative Bill 2-92.

FOR SIGN

396

GORDON T. LANDSON
EDWARD F. GERHOLD
BRUCE E. DOY

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318
410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLEBERG
FRED W. DOLLEBERG
CARL L. GERHOLD
PHILIP A. CROSS
JOHN F. ETZEL
WILLIAM G. ULLICH

96-398-SPHA

March 21, 1996

Zoning Description
Proposed Lot 1
Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence leaving Edmondson Avenue and running South 66 degrees 57 minutes 23 seconds East 84.98 feet, by a line curving to the left having a radius of 45.00 feet for an arc distance of 63.30 feet (the chord of said arc bearing South 41 degrees 14 minutes 12 seconds East 58.21 feet), South 08 degrees 28 minutes 00 seconds West 91.40 feet, South 64 degrees 00 minutes 00 seconds East 18.30 feet, South 19 degrees 00 minutes 00 seconds East 130.00 feet, North 71 degrees 00 minutes 00 seconds East 63.00 feet, South 24 degrees 45 minutes 00 seconds East 56.52 feet, South 63 degrees 07 minutes 30 seconds West 135.00 feet, South 89 degrees 31 minutes 22 seconds West 97.00 feet, North 00 degrees 28 minutes 38 seconds West 20.00 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, and South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.37 feet), and North 23 degrees 02 minutes 37 seconds East 314.72 feet to the place of beginning.

Containing 1.783 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



Ridgely2.doc

396

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

96-398-SPHA

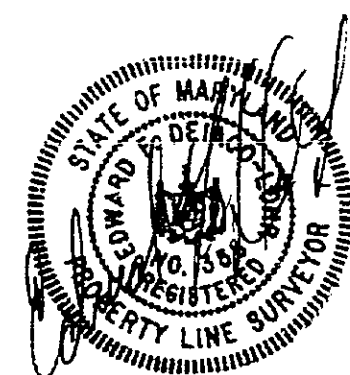
March 21, 1996

Zoning Description
Proposed Lot 2
Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence running along the east side of Edmondson Avenue, North 23 degrees 02 minutes 37 seconds East 209.72 feet, thence leaving Edmondson Avenue and running South 55 degrees 55 minutes 28 seconds East 134.08 feet, South 37 degrees 26 minutes 43 seconds East 470.84 feet, South 17 degrees 38 minutes West 287.20 feet, South 27 degrees 28 minutes West 162.90 feet, South 32 degrees 50 minutes East 344.90 feet, South 50 degrees 40 minutes West 311.76 feet, North 45 degrees 25 minutes West 302.00 feet, North 00 degrees 28 minutes 38 seconds West 483.00 feet, South 89 degrees 06 minutes West 6.00 feet, North 00 degrees 28 minutes 38 seconds West 110.55 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, running thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet, (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.36 feet) and North 23 degrees 02 minutes 37 seconds East 314.96 feet to the place of beginning.

Containing 2.493 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



Ridgely2.doc

396

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

96-398-SPHA

April 8, 1996

Zoning Description
Proposed Lot 1
Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue 175 feet, more or less, southerly from the centerline of Overbrook Road, running thence South 55 degrees 55 minutes 28 seconds East 132.00 feet, South 37 degrees 26 minutes 43 seconds East 470.84 feet, South 17 degrees 38 minutes West 287.20 feet, South 27 degrees 28 minutes West 162.90 feet, South 32 degrees 50 minutes East 3

TO: FUTURE PUBLISHING COMPANY
April 25, 1996 Issue - Jeffersonian

Please forward billing to:

John V. Murphy, Esq.
14 N. Rolling Road
Catonsville, MD 21228
744-4967

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-398-SPHA (Item 396)
5743 Edmondson Avenue -- Ridgeway Manor Nursing Home
1/2 Edmondson Avenue, 175' S of Overbrook
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprise Limited Partnership

Special Hearing to modify the existing relief granted in case 88-205-SPH to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residences; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception; and waiver to modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Variance to allow a zero foot side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot 1 and 2 in lieu of the required 25 foot setback.

HEARING: TUESDAY, MAY 21, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-398-SPHA (Item 396)
5743 Edmondson Avenue -- Ridgeway Manor Nursing Home
1/2 Edmondson Avenue, 175' S of Overbrook
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprise Limited Partnership

Special Hearing to modify the existing relief granted in case 88-205-SPH to (a) subdivide the present 10.47 acre parcel into 3 lots to meet HUD financing requirements with lot 1 containing the existing nursing home, lot 2 containing the existing assisted living facility, and lot 3 containing existing residences; (b) modify the special exception applicable to the existing nursing home on lot 1 by adding a 10-bed addition, sun room, and meeting room; (c) show an enclosed breezeway connecting the existing nursing home and existing living facility; (d) remove the special exception from lot 3; and (e) waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 265 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception; and waiver to modify the RTA requirements of Bill 124-81 affecting the proposed addition (5 bedrooms) to the existing nursing home on lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Variance to allow a zero foot side yard setback for the breezeway connecting the existing nursing home to the existing assisted living facility for the lot line between lot 1 and 2 in lieu of the required 25 foot setback.

HEARING: TUESDAY, MAY 21, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: John V. Murphy, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 1996

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, MD 21228

RE: Item No.: 396
Case No.: 96-398-SPHA
Petitioner: John Burleigh

Dear Mr. Murphy:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21206-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BURLEIGH ENTERPRISE LIMITED PARTNERSHIP

Location: E/S EDMONDSON AVE. 175' S OF OVERBROOK (5743 EDMONDSON AVE. - RIDGEWAY MANOR)

Item No.: 396

Zoning Agenda: SPECIAL HEARING / VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
2. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
3. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4661, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: April 26, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item No. 396

The Development Plans Review Division has reviewed the subject zoning item. The proposed additions and RTA Buffer are subject to the Baltimore County Landscape Manual. A Schematic Landscape Plan must be submitted and approved as a condition of Development Plan approval.

RWB:HJO:jrb

cc: File

ZONE8D



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 396 (ZAC)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-393-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZACM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-23-96

DATE: 4-23-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee item:

Item #'s:

389
390
391
394
395
396
397
398

LS:sp

LETTY2/DEPRM/TATSP

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 22, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 383, 396 and 397

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Cheryl L. Verno

PK/JL

ITEM383/PZONE/ZAC1

PETITION PROBLEMS

#389 --- RT

- Only 1 signature was notarized.

#394 --- MJK

- No telephone number for legal owner.

#395 --- CAM

- No review information on bottom of petition form.

#396 --- CAM

- Plat says legal owner/applicant is "Ridgeway Manor Nursing Home". Petition says legal owner is "Burleigh Enterprise Limited Partnership". Which is correct???
- Need title of person signing for legal owner.
- Need address of legal owner (including zip code).
- Need telephone number for legal owner.

April 15, 1996

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
5743 Edmondson Avenue (Ridgeway Manor
Nursing Home), E/S Edmondson Avenue, 175'
S of Overbrook, 1st Election District,
1st Councilmanic
Burleigh Enterprise Limited Partnership
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-398-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to John V. Murphy, Esquire, 14 N. Rolling Road, Baltimore, MD 21228, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
John Trueschler
John Burleigh
Thomas A. Shields
Brian C. Burleigh

ADDRESS
1738 Paces Rd Forest Hill 21050
5743 Edmondson Ave 21228
1364 Eastside Dr Baltimore 21234
296 Sunshine Way Whitehall MD 21157

Printed with Double Line on Recycled Paper

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318
410-823-4470
FAX 410-823-4473

EMERITUS
PAUL H. DOLLEBERG
FRED H. HOLLENBERG
CARL L. GERHOLD
PAUL H. CROSS
JOHN F. ETZEL
WILLIAM H. BLANCH

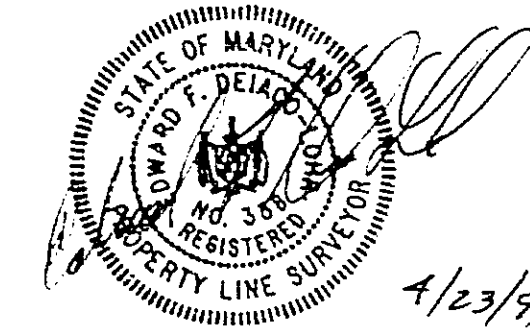
April 23, 1996

Zoning Description Proposed Lot 1 Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence leaving Edmondson Avenue and running South 66 degrees 57 minutes 23 seconds East 84.98 feet, by a line curving to the left having a radius of 45.00 for an arc distance of 63.30 feet (the chord of said arc bearing South 41 degrees 14 minutes 12 seconds East 58.21 feet), South 08 degrees 28 minutes 00 seconds West 87.27 feet, South 19 degrees 00 minutes 00 seconds East 5.57 feet, South 64 degrees 00 minutes 00 seconds East 15.61 feet, South 19 degrees 00 minutes 00 seconds East 130.00 feet, North 71 degrees 00 minutes 00 seconds East 63.00 feet, South 24 degrees 45 minutes 00 seconds East 56.52 feet, South 65 degrees 07 minutes 30 seconds West 135.00 feet, South 89 degrees 31 minutes 22 seconds West 97.00 feet, North 00 degrees 28 minutes 38 seconds West 20.00 feet, North 13 degrees 28 minutes 38 seconds West 33.00 feet, and South 86 degrees 01 minute 22 seconds West 190.24 feet to the east side of Edmondson Avenue, thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.37 feet), and North 23 degrees 02 minutes 37 seconds East 314.72 feet to the place of beginning.

Containing 1.783 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



Ridgell 142

GERHOLD, CROSS & ETZEL, LTD. Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318
410-823-4470
FAX 410-823-4473

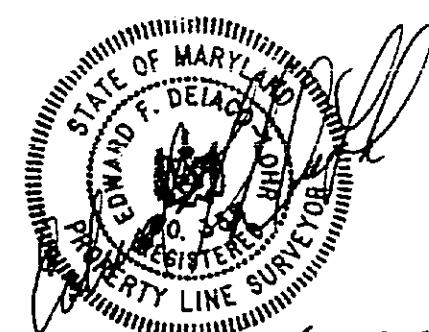
April 23, 1996

Zoning Description Proposed Lot 2 Ridgeway Manor Nursing Home

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence running along the east side of Edmondson Avenue, North 23 degrees 02 minutes 37 seconds East 209.72 feet, thence leaving Edmondson Avenue and running South 55 degrees 55 minutes 28 seconds East 134.08 feet, South 37 degrees 26 minutes 43 seconds East 429.56 feet, South 63 degrees 07 minutes 30 seconds West 234.54 feet, North 24 degrees 45 minutes 00 seconds West 56.52 feet, South 71 degrees 00 minutes 00 seconds West 63.00 feet, North 19 degrees 00 minutes 00 seconds West 130.00 feet, North 64 degrees 00 minutes 00 seconds West 15.61 feet, North 19 degrees 00 minutes 00 seconds West 5.57 feet, North 08 degrees 28 minutes 00 seconds East 91.40 feet, by a line curving to the right having a radius of 45.00 feet for an arc distance of 63.30 feet, the chord of said arc bearing North 41 degrees 14 minutes 12 seconds West 58.21 feet), and North 66 degrees 57 minutes 23 seconds West 84.98 feet to the place of beginning.

Containing 2.493 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



Ridgell 142

John G. Trueschler
39 Othoridge Road
Lutherville, Maryland 21093
(410) 821-6916

EDUCATION

Juris Doctor, May 1991
University of Maryland School of Law
Baltimore, Maryland
Academic Standing: Top 6%
Honors: Order of the Conf. American Jurisprudence Awards for: Terms, Contracts, Legal Profession (Ethics); and Real Estate Negotiating and Drafting.

Bachelor of Science in Landscape Architecture, May 1979
West Virginia University
Morgantown, West Virginia
Academic Standing: 3.7 GPA; Magna Cum Laude

Honors: Awarded the "Certificate of Honor" by the American Society of Landscape Architects as the most promising professional in the class; selected as "The Outstanding Senior" by the Division of Resource Management; elected to the following honorary fraternities: Sigma Phi Kappa Phi, Alpha Zeta, and Gamma Sigma Delta.

Activities: Board member of the Curriculum and Courses Committee (1 year) and the Academic Standards Committee (2 years) of the College of Agriculture and Forestry; student instructor.

LICENSES

Member of the Maryland and Federal Bar
Licensed Real Estate Broker (inactive status)
Licensed Landscape Architect

EXPERIENCE

Project Manager/Land Planner
Site Resources, Inc.
November 1995 to present

See description under headings "Project Manager" and "Landscape Architect/Planner"

Attorney and Land Planner
John G. Trueschler, P.A. and John G. Trueschler Land Planning & Design Services
October 1993 to November 1995

Solo practice of law (80%) and land planning/zoning (20%). Practice of law includes: domestic cases; bankruptcy; real estate documents; construction law; contract law; employment law; zoning hearings and contested developments. (For scope of land planning and development services, see description under heading "Project Manager")

Development Consultant & Broker

Nehemiah Enterprises, Inc. Valley Properties, Inc.
October 1991 to December 1993

Co-owner of a real estate consulting/development firm and a brokerage firm. Prepared proposals and invoices; rendered land planning/zoning/construction management services (see description under heading "Project Manager"); and administration.

Project Manager

Perfel & Walker, Inc.
August 1981 to September 1991

Determined site development potential by investigating local zoning and environmental laws and regulations; utilities, and topography; prepared schematic site plans and cost estimates; negotiated and drafted contracts of sale; deeds, easement agreements, restrictive covenants and architectural controls; supervised engineering consultants and managed the processing of plans and permits for residential, commercial and industrial developments in Baltimore County, City of Frederick, Frederick County, and York County; presented plans to community groups and local governing agencies and elected officials; prepared bid packages and negotiated with contractors prior to contract; inspected construction; intervened with government agencies and inspectors during both the planning and construction phases of development.

Administrator

Covenant Hope Church
May 1985 to July 1987

Handled all church interaction with business and government; supervised and taught Sunday School; lead discussion groups; acted as principal counselor to the pastor; and advised other churches on matters of land development and zoning.

Landscape Architect/Planner

Draft-McCune-Walker, Inc.
May 1979 to May 1985

Prepared plans for rezoning, variances, special exceptions, and subdivision; designed and engineered residential, commercial and industrial sites (work included survey, computation, hydrology, grading, layout, roads, utilities, construction details, sediment control, and landscaping); inspected construction and attended progress meetings; represented clients before community groups, government agencies, planning boards, and the Baltimore County Council; testified as an expert witness in Baltimore County zoning hearings on matters of zoning and site development.

PERSONAL

- Lifetime resident of Baltimore County
- Married to Mary F. Mack since 1981; three daughters and two sons.
- Coach soccer and baseball for Lutherville-Timonium Recreation Council
- Sunday School Teacher for Grace Fellowship Church.
- Participant in adult soccer league.



RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 1 OF 5

Post Mts

STANDING AT ENTRANCE TO RIDGEWAY MANOR, LOOKING SOUTH.
ASSISTED LIVING FACILITY (LEFT) AND NURSING HOME (RIGHT)



NORTH SIDE OF ASSISTED LIVING FACILITY, AND BEHIND
EXISTING EVERGREENS, EAST SIDE OF NURSING HOME.



WEST SIDE OF EXISTING LIVING FACILITY (LEFT) AND EAST SIDE
OF NURSING HOME (RIGHT)



RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 2 OF 5

VIEW LOOKING NORTHWEST AT SOUTH AND EAST SIDES OF NURSING
HOME (LEFT) AND SOUTH SIDE OF ASSISTED LIVING FACILITY (RIGHT)



VIEW LOOKING NORTHWEST TOWARD SOUTH SIDE OF NURSING HOME (LEFT) AND ASSISTED LIVING FACILITY (RIGHT)



RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 3 OF 5

STANDING IN ASSISTED LIVING PARKING LOT LOOKING NORTH TOWARD
INTERSECTION OF EDMONSON AVE. & ACADEMY RD. DUPLEXES BEYOND



VIEW OF SINGLE FAMILY DETACHED HOUSES NORTHEAST OF SITE. FOREGROUND SHOWS DRIVEWAY & PARKING LOT.

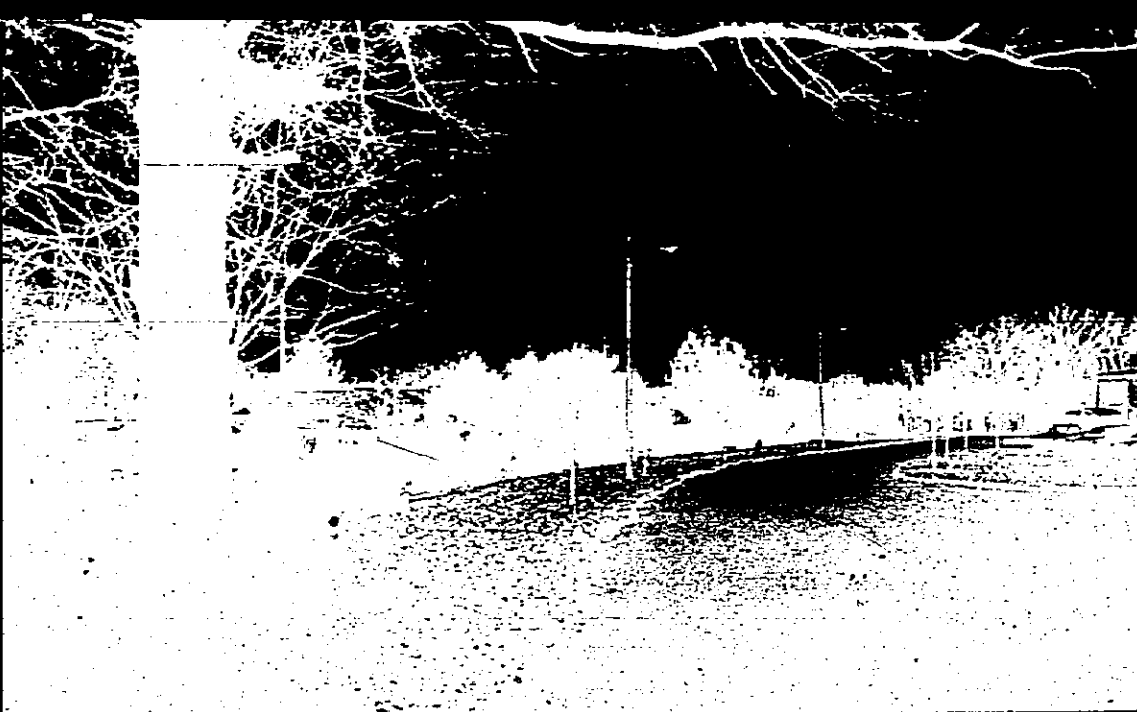


RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 4 OF 5

VIEW LOOKING SOUTHWEST TOWARD APARTMENTS. NOTE PORCH OF ASSISTED
LIVING FACILITY (RIGHT FOREGROUND) & NURSING HOME (RIGHT BACKGROUND).



VIEW OF SINGLE FAMILY DETACHED HOUSES EAST OF SITE. SOUTH SIDE OF ASSISTED LIVING FACILITY (RIGHT
FOREGROUND) AND EXISTING WHITE HOUSE AND GARAGE ON PROPOSED LOT 3 (BACKGROUND)



RIDGEWAY MANOR
PETITIONER'S EXHIBIT 1
PAGE 5 OF 5

VIEW OF LANDSCAPE BUFFER THAT SCREENS HOMES NORTHEAST OF SITE.
NOTE ASSISTED LIVING FACILITY & PARKING (RIGHT BACKGROUND).

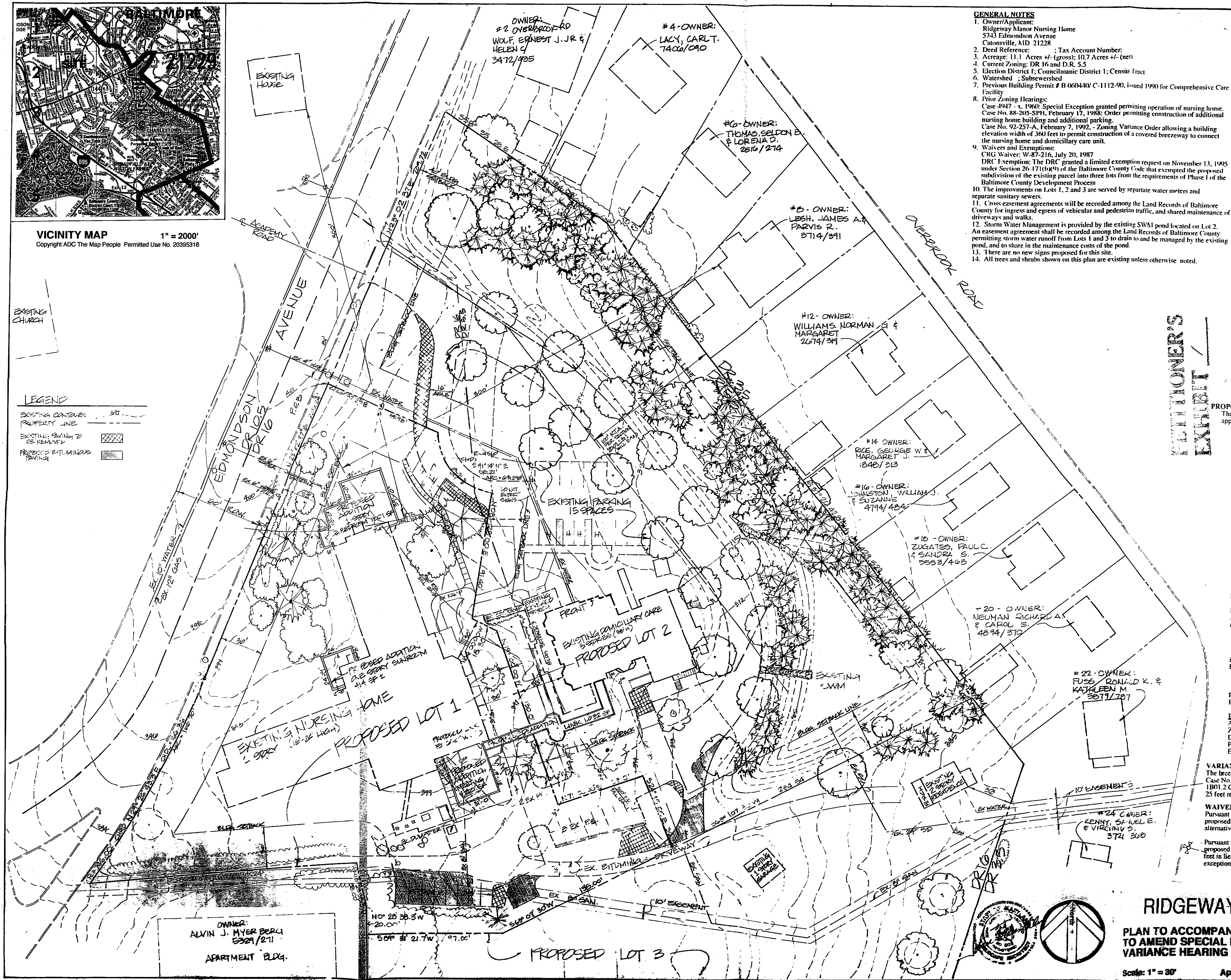


VIEW OF LANDSCAPE BUFFER THAT SCREENS HOMES FROM
STORM WATER MANAGEMENT POND & ASSISTED LIVING FACILITY

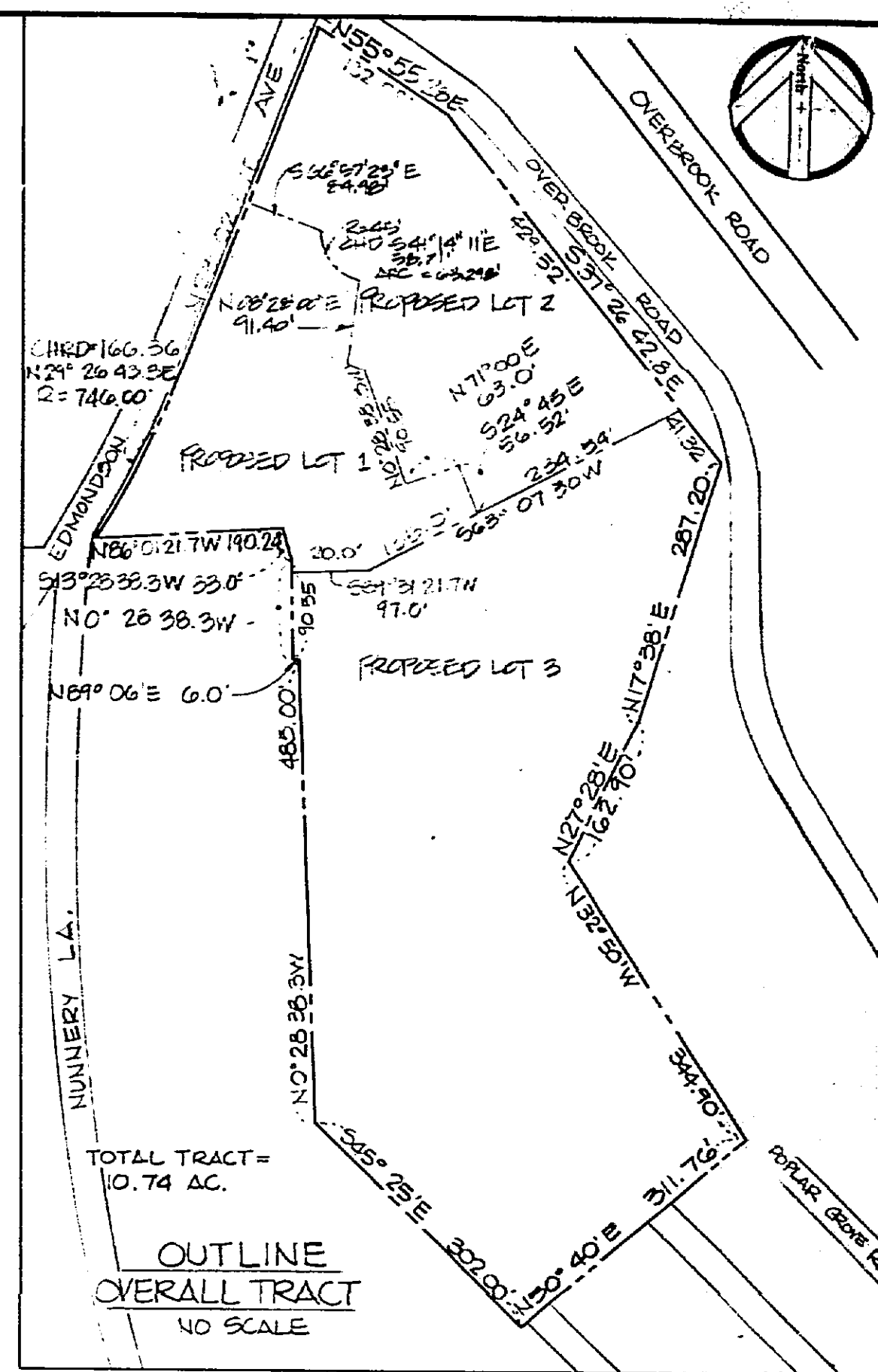


VICINITY MAP
1" = 2000'
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LEGEND
EXISTING CONTIGUOUS PROPERTY LINE
EXISTING BUILDING TO BE REMOVED
PROPOSED BUILDING
PROPOSED BUILDING PAVING



GENERAL NOTES
1. Owner/Applicant: Ridgeway Manor Nursing Home, 5743 Edmondson Avenue, Catonsville, MD 21228
2. Deed Reference: ; Tax Account Number:
3. Acreage: 11.1 Acres +/- (gross); 10.7 Acres +/- (net)
4. Current Zoning: DR 16 and D.R. 5.5
5. Election District 1; Councilmanic District 1; Census Tract
6. Watershed : Subwatershed
7. Previous Building Permit # B 060440V C-1112-90, issued 1990 for Comprehensive Care Facility
8. Prior Zoning Hearings:
Case 4947 - v. 1968: Special Exception granted permitting operation of nursing home.
Case No. 88-205-SPH, February 17, 1988: Order permitting construction of additional nursing home building and additional parking.
Case No. 92-257-A, February 7, 1992 - Zoning Variance Order allowing a building elevation width of 360 feet to permit construction of a covered breezeway to connect the nursing home and dormitory care unit.
9. Waivers and Exemptions:
CRG Waiver: W-87-216, July 20, 1987
DRC Exemption: The DRC granted a limited exemption request on November 13, 1995 under Section 26-171(b)(9) of the Baltimore County Code that exempted the proposed subdivision of the existing parcel into three lots from the requirements of Phase I of the Baltimore County Development Process
10. The improvements on Lots 1, 2 and 3 are served by separate water meters and separate sanitary sewers.
11. Cross easement agreements will be recorded among the Land Records of Baltimore County for ingress and egress of vehicular and pedestrian traffic, and shared maintenance of driveways and walks.
12. Storm Water Management is provided by the existing SWM pond located on Lot 2.
An easement agreement shall be recorded among the Land Records of Baltimore County permitting storm water runoff from Lots 1 and 3 to drain to and be managed by the existing pond, and to share in the maintenance costs of the pond.
13. There are no new signs proposed for this site.
14. All trees and shrubs shown on this plan are existing unless otherwise noted.



PROPOSED SUBDIVISION AND IMPROVEMENTS:
The owner intends to subdivide the property into three lots in accordance with the approved DRC limited exemption granted November 13, 1995.

LOT 1
Area: 1.783 Ac. +/- (net); 2.052 Ac. +/- (gross)
Zoning: DR 16
Existing Nursing Home: (51 beds) 15,456 s.f.
Proposed Additions to Nursing Home:
Sunroom 415 s.f.
Meeting Area & Laundry 1,200 s.f.
Five Rooms (10 beds) 1,800 s.f.
Connecting Breezeway (50%) 500 s.f.
Total Building Floor Area 19,376 s.f.
Parking Required: 31 existing beds = 1 space 3 beds = 17 spaces
10 proposed beds = 1 space 3 beds = 5 spaces
Total Parking Required 22 spaces
Parking Provided = 21 spaces

LOT 2
Area: 2.493 Ac. +/- (net); 2.638 Ac. +/- (gross)
Zoning: DR 5.5 = 1.7 Ac. +/-
DR 16 = .938 Ac. +/-
Density Units:
5.5 x 1.7 = 9.35
16 x .938 = 15.00
Total = 24.35
Beds Permitted Under Section 101 of B.C.Z.R.
24.358 Density Units = 0.25 Density Unit Bed = 97 Beds
Beds Existing Per Special Hearing Case # 88-205 SPH = 45 Beds
Alternative Calculation Per Section 432.5 of B.C.Z.R.
Land Required To Support Existing Assisted Living Facility 45 beds (Class A)
10,000 s.f. land for first 7 residents 10,000 s.f.
1,500 s.f. land for 38 residents 52,000 s.f.
Total Land Required For Ex. Assisted Living 62,000 s.f.
Land Area of Lot 2 114,892 s.f. (gross)
Building Floor Area:
Existing Assisted Living Facility 16,200 s.f.
Proposed Connecting Corridor 550 s.f.
Total Building Floor Area 16,750 s.f.
Parking Required = 45 beds = 1 space 3 beds = 15 spaces
Parking Provided = 17 spaces

LOT 3
Area: 6.42 Ac. +/- (net); 6.43 Ac. +/- (gross)
Zoning: DR 16
Density Units: 102
Proposed Development: No development currently planned
Existing Development: One 2 story residence and 1 story garage

VARIANCE SOUGHT:
The breezeway connecting the buildings on proposed Lots 1 and 2, previously approved in Case No. 92-257-A, requires a variance from the building setback requirements of Section 1801.2 C.1.a. to allow side yard setbacks of 0 feet for Lots 1 and 2 in lieu of the required 25 feet required for non-residential principal buildings in DR 16 zones.

WAIVER OR MODIFICATION SOUGHT:
Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed breezeway to allow an RTA of 285 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition 3 bedrooms to the existing nursing home on Lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

RIDGEWAY MANOR
PLAN TO ACCOMPANY SPECIAL HEARING
TO AMEND SPECIAL EXCEPTION AND
VARIANCE HEARING

Scale: 1" = 30' April 8, 1996

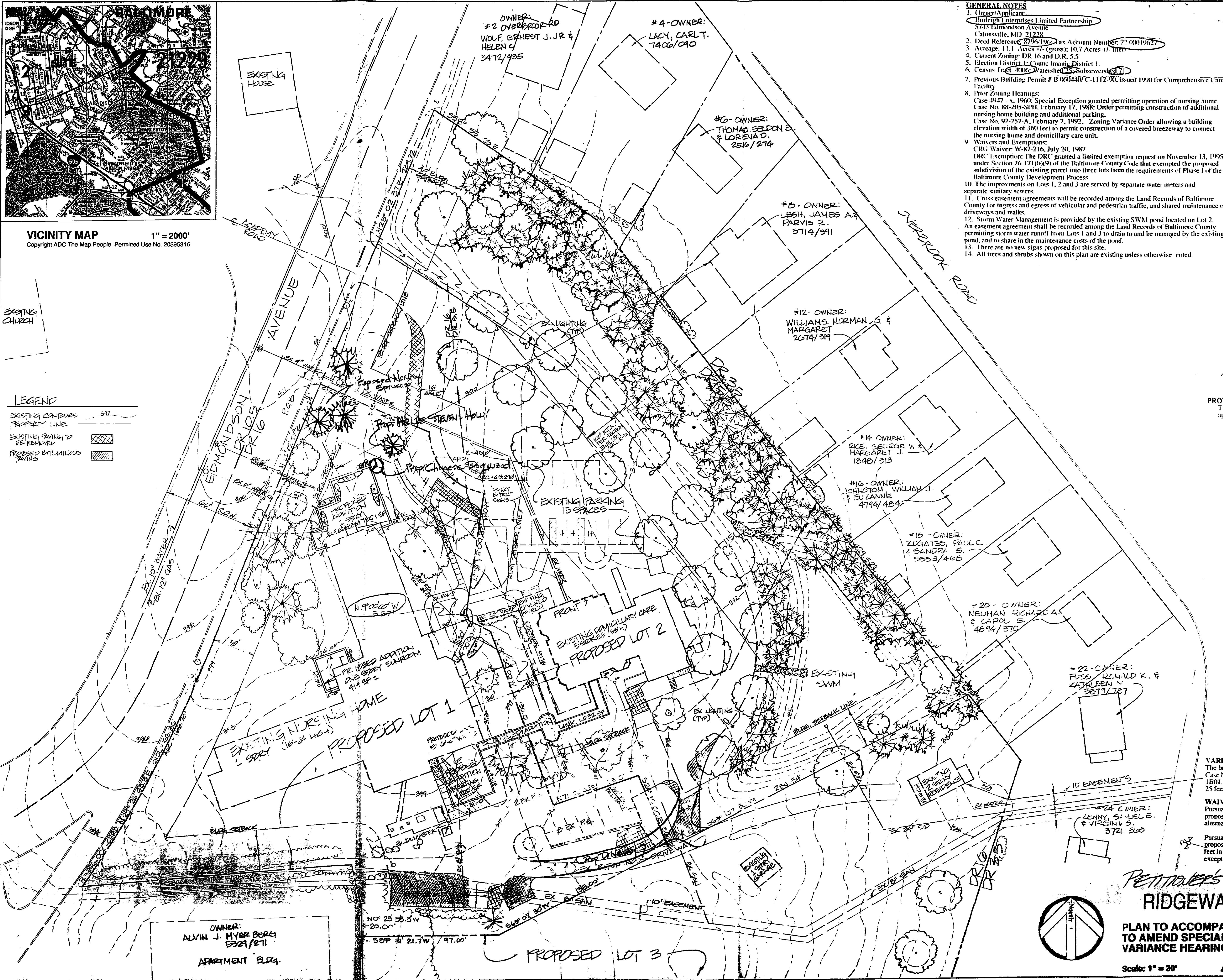
SITE RESOURCES
Comprehensive Land Planning & Site Design Services
1738 Pagers Road - Forest Hill, Maryland 21050
(410) 879-6964 - fax (410) 879-6965

96-398-SGHA

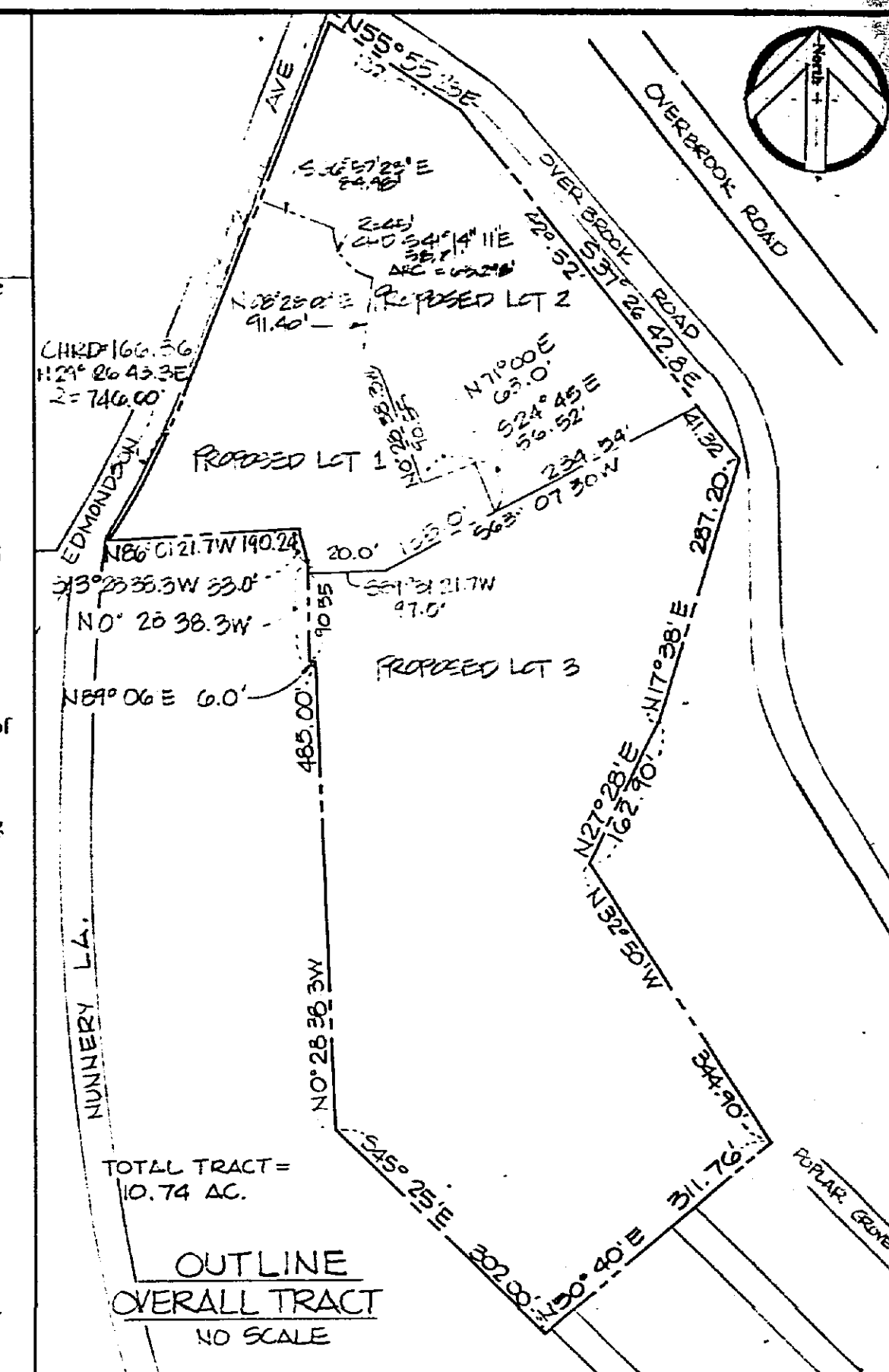


VICINITY MAP
Copyright ADC The Map People. Permitted Use No. 20395316

LEGEND
EXISTING CONTAINERS
PROPERTY LINE
EXISTING PAVING
PROPOSED PAVING
PROPOSED EXISTING PAVING



- GENERAL NOTES**
1. Owner/Applicant: Midway Landscapes Limited Partnership, 5743 Edmondson Avenue, Catonsville, MD 21228
 2. Deed Reference: 8796196, Tax Account Number: 23 0001962
 3. Acreage: 11.1 Acres +/- (gross); 10.7 Acres +/- (net)
 4. Current Zoning: DR 16 and D.R. 5.5
 5. Election District: Councilman District 1
 6. Census Tract: 4006, Watershed: 15, Subwatershed: 71
 7. Previous Building Permit: B 0604407-C-1112-90, issued 1990 for Comprehensive Care Facility
 8. Prior Zoning Hearings: Case 9447 - 1990 Special Exception granted permitting operation of nursing home. Case No. 88-205-SPH, February 17, 1988. Order permitting construction of additional nursing home building and additional parking. Case No. 92-257-A, February 7, 1992. Zoning Variance Order allowing a building elevation width of 360 feet to permit construction of a covered breezeway to connect the nursing home and domiciliary care unit.
 9. Waivers and Exemptions: CRG Waiver: W-87-216, July 20, 1987. DRC Exemption: The DRC granted a limited exemption request on November 13, 1995 under Section 26-171(b)(9) of the Baltimore County Code that exempted the proposed subdivision of the existing parcel into three lots from the requirements of Phase I of the Baltimore County Development Process.
 10. The improvements on Lots 1, 2 and 3 are served by separate water meters and separate sanitary sewers.
 11. Cross egressment agreements will be recorded among the Land Records of Baltimore County for ingress and egress of vehicular and pedestrian traffic, and shared maintenance of driveways and walks.
 12. Storm Water Management is provided by the existing SWM pond located on Lot 2. An easement agreement shall be recorded among the Land Records of Baltimore County permitting storm water runoff from Lots 1 and 3 to drain to and be managed by the existing pond, and to share in the maintenance costs of the pond.
 13. There are no new signs proposed for this site.
 14. All trees and shrubs shown on this plan are existing unless otherwise noted.



PROPOSED SUBDIVISION AND IMPROVEMENTS:
The owner intends to subdivide the property into three lots in accordance with the approved DRC limited exemption granted November 13, 1995.

LOT 1	
Area: 1.783 Ac +/- (net); 2.052 Ac +/- (gross)	
Zoning: DR 16	
Existing Nursing Home: (51 beds) 15,456 s.f.	
Proposed Additions to Nursing Home:	
Sunroom	415 s.f.
Meeting Area & Laundry	1,200 s.f.
Fire Rooms (10 beds)	1,805 s.f.
Connecting Breezeway (50' x 10')	500 s.f.
Total Building Floor Area	19,376 s.f.
Parking Required: 51 existing beds = 1 space; 3 beds = 17 spaces	
10 proposed beds = 1 space; 3 beds = 4 spaces	
Total Parking Required:	21 spaces
Parking Provided = 21 spaces	
LOT 2	
Area: 2.493 Ac +/- (net); 2.638 Ac +/- (gross)	
Zoning: DR 16	
DR 16 = 98 Ac +/-	
Density Units:	
5.5 x 1.7 = 9.35	
16 x 938 = 15,008	
Total = 24,358	
Bed: Permitted Under Section 101 of B.C.Z.R.	
24,358 Density Units @ 0.25 Density Unit/Bed = 97 Beds	
Bed: Existing Per Special Hearing Case # 88-205 SPH = 45 Beds	
Alternative Calculation Per Section 432.5 of B.C.Z.R.	
Land Required To Support Existing Assisted Living Facility	
45 beds (Class A)	
10,000 s.f. land for first 7 residents	10,000 s.f.
1,500 s.f. land for 38 residents	38,000 s.f.
Total Land Required For Ex. Assisted Living	67,000 s.f.
Land Area of Lot 2: 114,892 s.f. (gross)	
Building Floor Area:	
Existing Assisted Living Facility	16,200 s.f.
Proposed Connecting Corridor	550 s.f.
Total Building Floor Area	16,750 s.f.
Parking Required = 45 beds @ 1 space; 3 beds = 15 spaces	
Parking Provided = 17 spaces	
LOT 3	
Area: 6.42 Ac +/- (net); 6.43 Ac +/- (gross)	
Zoning: DR 16	
Density Units: 102	
Proposed Development: No development currently planned	
Existing Development: One 2-story residence and 1-story garage	

VARIANCE SOUGHT:
The breezeway connecting the buildings on proposed Lots 1 and 2, previously approved in Case No. 92-257-A, requires a variance from the building setback requirements of Section 1801.2 of C.L. to allow side yard setbacks of 0 feet for Lots 1 and 2 in lieu of the required 25 feet required for nonresidential principal buildings in DR 16 zones.

WAIVER OR MODIFICATION SOUGHT:
Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition 5 bedrooms to the existing nursing home on Lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

Pursuant to Section 432.4, waive or modify the RTA requirements of Bill 124-81 affecting the proposed addition 5 bedrooms to the existing nursing home on Lot 1 to allow an RTA of 260 feet in lieu of 300 feet, or in the alternative apply the RTA requirements of Bill 2-92 to the special exception.

PETITIONER'S EXHIBIT 2 RIDGEWAY MANOR

**PLAN TO ACCOMPANY SPECIAL HEARING
TO AMEND SPECIAL EXCEPTION AND
VARIANCE HEARING**

Scale: 1" = 30' April 8, 1996

SITE RESOURCES
INCORPORATED
Comprehensive Land Planning & Site Design Services
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(410) 879-6964 fax (410) 879-6965

